

05-07-01

PATENT APPLICATION

Docket: 10265.96.1

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box: PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, DC 20231

TRANSMITTAL FOR PATENT APPLICATION

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a United States patent application entitled **SUSTAINED RELEASE COMPOSITIONS FOR ORALLY ADMINISTERED SUBSTANCES AND METHODS** in the name of the following inventors:

Inventor: Andy Swenson  
Citizenship: United States  
Address: 18 South 100 East  
Payson, Utah 84651

Inventor: James Wagstaff  
Citizenship: United States  
Address: 1025 North 300 West, #10  
Spanish Fork, Utah 84663

Enclosed are the following:

- ☒ A specification, claims, abstract, and cover page in total comprising thirty-seven (37) pages.
- ☒ Three (3) sheets of drawings.

- X A Certificate of Express Mailing by "Express Mail" certifying a filing date by use of Express Mail Label No. EL 727 459 205 US.
- X Enclosed is a non-publication request requesting that the present application not be published.
- X No fees are enclosed.
- X No Declaration, Power of Attorney, and Petition is enclosed.
- X Priority to Provisional Application Serial No. 60/201,815 filed on May 4, 2000 is claimed under 35 U.S.C. § 119.
- X Request and Certification under 35 USC § 122(b)(2)(B)(i) is enclosed.
- \_\_\_\_\_ A certified copy of foreign priority Application Serial No. \_\_\_\_\_.
- \_\_\_\_\_ An Associate Power of Attorney.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Dated this 4<sup>th</sup> day of May 2001.

Respectfully submitted,

*Robyn L. Phillips*

ROBYN L. PHILLIPS  
Attorney for Applicant  
Registration No. 39,330



**022913**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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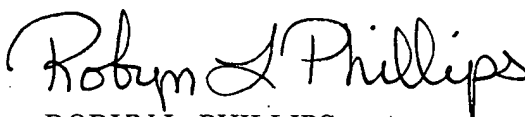
CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below in an envelope addressed to Box: PATENT APPLICATION, Assistant Commissioner for Patents, Washington, DC 20231:

- Patent Application in the names of Andy Swenson and James Wagstaff for SUSTAINED RELEASE COMPOSITIONS FOR ORALLY ADMINISTERED SUBSTANCES AND METHODS (37 pages)
- Drawings (3 sheets)
- Transmittal Letter (2 pages)
- Request and Certification under 35 USC § 122(b)(2)(B)(i)
- Postcard

Dated this 4<sup>th</sup> day of May 2001.

Respectfully submitted,



ROBYN L. PHILLIPS  
Attorney for Applicant  
Registration No. 39,330

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10265.96.1-364360

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**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

**First Named Inventor**

**Andy Swenson**

Title

## Sustained Release Compositions for Orally Administered Substances and Methods

Atty Docket Number

10256.96.1

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

**May 4, 2001**

Date \_\_\_\_\_

Robyn Phillips  
Signature

Signature

**Robyn L. Phillips, Reg. No. 39,330**

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**